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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

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6 COMMODITY FUTURES TRADING  
7 COMMISSION,

8 Plaintiff,

9 v.

10 DAVID GILBERT SAFFRON, ET AL.,

11 Defendants.

Case No. 2:19-cv-01697-JAD-DJA

**ORDER**

12 This matter is before the Court on Defense Counsel Shumway Van's Motion to Withdraw  
13 (ECF No. 28), filed on December 2, 2019. Pursuant to Local Rule ("LR") IA 11-6, "[n]o attorney  
14 may withdraw after appearing in a case except by leave of Court after notice has been served on  
15 the affected client and opposing counsel." See LR IA 11-6(b). Having reviewed the motion, the  
16 Court finds that requirements of LR IA 11-6(b) have been met. Mr. Van indicates that Defendant  
17 Circle Society, Corp. has been unresponsive to requests for documents and payment along with  
18 requests for a fully executed retainer agreement. The Court will require that Defendant Circle  
19 Society, Corp. advise the Court if it will retain new counsel by December 23, 2019 as it must  
20 retain new counsel if it intends to continue to litigate this matter. See *United States v. High*  
21 *Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam); *In re Am. W. Airlines*, 40 F.3d  
22 1058, 1059 (9th Cir. 1994) (stating that "[c]orporations and other unincorporated associations  
23 must appear in court through an attorney."). Filing a notice of new counsel on or before  
24 December 23, 2019 is sufficient to comply with the Court's order. Failure to respond may result  
25 in a recommendation to the United States District Judge assigned to this case that dispositive  
26 sanctions be issued against Defendant Circle Society, Corp., including dismissal of this action.

27 **IT IS HEREBY ORDERED** that Defense Counsel Shumway Van's Motion to Withdraw  
28 (ECF No. 28) is **granted**.

1           **IT IS FURTHER ORDERED** that Defendant Circle Society, Corp. shall have until  
2   **December 23, 2019** to advise the Court if it will retain new counsel. Failure to notify the Court  
3   as to their new representation may subject it to dispositive sanctions, including a recommendation  
4   for dismissal of this action.

5           **IT IS FURTHER ORDERED** that the Defense Counsel Shumway Van shall serve a  
6   copy of this order on Defendant Circle Society, Corp. and file a notice of completion of service  
7   along with a notice of Defendant Circle Society, Corp.'s last known address by **December 9,**  
8   **2019.**

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10           DATED: December 2, 2019



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DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE